

Kurt Michael Mullen, Esq.
Samuel Goldblatt, Esq. (*pro hac vice*)
W. Scott O'Connell, Esq. (*pro hac vice*)
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110
Telephone: (617) 345-1131

Leah Threatte Bojnowski, Esq. (*pro hac vice*)
NIXON PEABODY LLP
437 Madison Avenue
New York, NY 10022-7039
Telephone: (212) 940-3722

Attorneys for Defendant Cummins Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

	:	Civil Action No.
T.J. McDERMOTT TRANSPORTATION CO., INC.,	:	2:14-cv-04209 (WHW) (CLW)
DEMASE WAREHOUSE SYSTEMS, INC., HEAVY	:	
WEIGHT ENTERPRISES, INC., P&P ENTERPRISES	:	CONSENTED TO
CO., LLC, YOUNG'S AUTO TRANSPORT, INC.,	:	APPLICATION FOR
HARDWICK ALLEN, AND JOSE VEGA,	:	EXTENSION OF TIME TO
	:	ANSWER, MOVE OR
Plaintiffs,	:	OTHERWISE REPLY TO
	:	THIRD AMENDED
vs.	:	COMPLAINT
	:	
CUMMINS, INC., and PACCAR, INC. d/b/a	:	
PETERBILT MOTOR COMPANY AND	:	
KENWORTH TRUCK COMPANY,	:	
	:	
Defendants.	:	
	:	
	:	
	:	

Pursuant to Local Civil Rule 6.1 of the U.S. District Court for the District of New Jersey, application is hereby made for an extension of time within which defendant Cummins Inc. ("Cummins") may answer, move or otherwise reply to the Third Amended Complaint filed by Plaintiffs T. J. McDermott Transportation Co., Inc., DeMase Warehouse Systems, Inc., Heavy Weight Enterprises, Inc., P&P Enterprises Co., LLC, Young's Auto Transport, Inc., Hardwick

Allen, and Jose Vega (collectively, “Plaintiffs”) to October 7, 2016. In support of this application, Cummins states as follows:

1. On September 6, 2016, Plaintiffs filed the Third Amended Complaint;
2. The deadline for Cummins to answer, move or otherwise respond to the Third Amended Complaint was September 23, 2016;
3. Due to significant time invested in preparation for discovery in this matter, Cummins needs additional time to respond to the Third Amended Complaint;
4. No previous extension has been obtained to respond to the Third Amended Complaint; and
5. Counsel for Plaintiffs consents to the request sought herein.

WHEREFORE, Cummins respectfully requests that this consented to motion be granted and that the time for Cummins to answer, move or otherwise respond to the Third Amended Complaint be extended to October 7, 2016.

Respectfully submitted,

DEFENDANT CUMMINS INC.

By its Attorneys,

s/ Kurt M. Mullen

Kurt Michael Mullen, Esq.

Samuel Goldblatt, Esq. (*pro hac vice*)

W. Scott O'Connell, Esq. (*pro hac vice*)

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Boston, MA 02110

Telephone: (617) 345-1131

kmullen@nixonpeabody.com

sgoldblatt@nixonpeabody.com

soconnell@nixonpeabody.com

Leah Threatte Bojnowski, Esq. (*pro hac vice*)

NIXON PEABODY LLP

437 Madison Avenue

New York, New York 10022

Telephone: (212) 940-3722

lbojnowski@nixonpeabody.com

Consented to by:

**PLAINTIFFS T. J. MCDERMOTT TRANSPORTATION CO., INC., DEMASE
WAREHOUSE SYSTEMS, INC., HEAVY WEIGHT ENTERPRISES, INC., P&P
ENTERPRISES CO., LLC, YOUNG'S AUTO TRANSPORT, INC., HARDWICK
ALLEN, AND JOSE VEGA**

By their Attorneys,

s/ James M. Mulvaney

James M. Mulvaney, Esq.

MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

1300 Mt. Kemble Avenue

P.O. Box 2075

Morristown, New Jersey 07962

Telephone: (973) 425-8712

jmulvaney@mdmc-law.com

Dated: September 29, 2016

ORDER

The above application is ORDERED GRANTED and the time for Defendant Cummins Inc. to answer, move or otherwise response to the Third Amended Complaint is extended to October 7, 2016.

So Ordered:

William H. Walls, U.S.D.J.

CERTIFICATE OF SERVICE

I certify that on September 29, 2016, pursuant to Local Civ. Rule 5.2, I served the foregoing Consented To Application for Extension of Time to Answer, Move or Otherwise Reply to Third Amended Complaint via the ECF system upon the registered participants as identified on the Notice of Electronic Filing (NEF)

s/ Kurt M. Mullen

Kurt M. Mullen